

<p>Tulare County Probation Department</p> <p>JUVENILE DETENTION FACILITY</p> <p>Policies and Procedures</p>	<p>Subject: Use of Physical Force</p> <p>Section: 7.13</p> <p>Authority:</p> <p>W&I 210, 885, 222, and PC6030(f)</p> <p>Title 15; Article 5; Section 1357</p>
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7.13 Use of Physical Force

Authorized
By State
And Federal
Laws

- A. State and Federal law empowers Peace Officer's with the right to use physical force when necessary to maintain and enforce their responsibilities under the law. Within the Juvenile Detention Facility (JDF) the use of physical force by staff is sometimes necessary to gain detainee compliance with facility rules to prevent the perpetration of a violent act between detainees or against staff to prevent self harm by a detainee or destruction of county property. When such emergencies arise and the use of physical force is contemplated staff are required to know exactly what type of force is allowed, when it is appropriate and how to apply it properly. In this section the policy and procedures surrounding the use of physical force will be addressed. Juvenile Detention Facility staff have a duty and responsibility to safely maintain control of the institution and its components.
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Definition of
"Use of Force"

- B. Physical force is defined as the use of O.C., the use of defensive tactics including the use of a control hold, the use of mechanical restraints, or any body contact between a staff member and a detainee when that contact is initiated for the purpose of accomplishing one of the objectives of Manual Section 7.13.3.
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Limited use

- C. Use of force in excess of that which is necessary or use of force after the necessity for control has been attained is not lawful or protected. Staff are required to take an 8 hour class titled Unarmed Defensive Tactics Class during orientation. Use of physical force is limited to that which is necessary to maintain control of the institution or to protect the safety of employees and detainees. Use of undue force or force after the situation has been controlled constitutes an unlawful act of assault or battery and is not authorized or protected under Probation Department Policy or California law.
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Protected
By law

- D. JDF staff will be protected by the law to the extent they operate within it. When staff exceed the protection of the law they are vulnerable to criminal charges and/or departmental disciplinary action. When such instances occur, Tulare County Sheriffs and the District Attorney's Office will be notified through the internal chain of command to investigate the situation with the full cooperation of the Probation Department.
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Not to be
used as
punishment

- E. Under no circumstances shall physical force be used as a form of punishment or discipline. Nor shall physical force be engaged in with the intent to injure a detainee except in instances where a life is threatened or in jeopardy.

Offensive physical force will be condoned only in a life threatening situation and as a final resort for the protection of self, staff, and/or other detainees.

7.13 Use of Physical Force *(continued)*

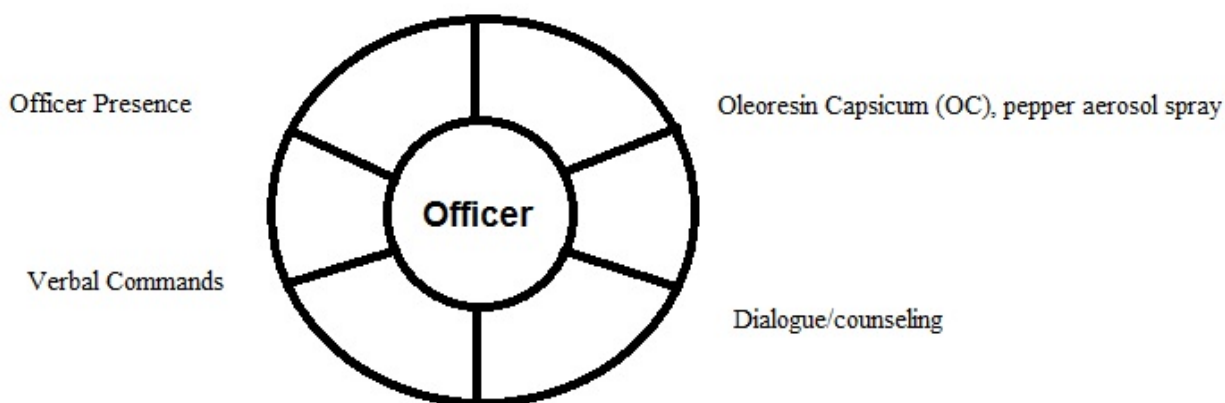
Notify
Duty
Supervisor
& have a
Witness

- F. Whenever possible, initiation of physical/chemical contact with a detainee should be done as a last resort and in the immediate presence of another staff member and, if the situation allows, an Institution Supervisor. The Pod Lead and the Duty Institution Supervisor shall be notified and their presence requested whenever physical contact with a detainee has occurred.
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7.13.1 Use of Force Options for Physical Restraint and Control

- A. Strategies for physical restraint and control involve partial or total control or immobilization of a youth through the use of defensive force control instruments. Defensive Force Control Instruments include, but are not limited to the following “Force Wheel”:

Defensive Tactics, as outlined in [Manual Section 7.12.7](#)



Mechanical Restraints as outlined in [Manual Section 7.13.](#)

These force options are immediately available to staff depending on whatever force is reasonable and necessary to effectively restrain and control a youth for physical safety and security. Staff will escalate or de-escalate the use of force as the youth’s resistance or behavior changes.

It may be appropriate to use more of the same option before moving to a higher level on the continuum. For example, more staff presence, meaning an additional staff called to the scene, before going to a higher level of force.

- B. Officer presence and conduct, as outlined in this manual section, is essential to the maintenance of a good Institutional Facility and the prevention of situations requiring physical intervention. Rapport, cooperation and respect are necessary ingredients that must be effectively and consistently maintained.
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7.13.2 Use of Force Options for Physical Restraint and Control *(continued)*

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| Dialogue/
Counseling/
De-escalator | C. Dialogue/counseling refers to the staff's ability to gain control of the situation through the use of verbalized statements. In most control situations, dialogue properly used on a daily basis is the only option necessary. Dialogue, including counseling efforts, may also be the single most successful option available. Staff should work to de-escalate situations through verbal the use of verbal counseling when possible. |
| Verbal
Commands | D. During volatile circumstances, dialogue/counseling may not be sufficient to control the situation. Staff should give clear, direct orders to detainees while employing command presence. Verbal commands include, "Stop", "Cover", or "Go to Your Room", etc. |
| OC Spray | E. Use of OC is permitted under Section 12403 of the California Penal Code. JDF staff may utilize OC as set forth in <u>Manual Section 7.13.6</u> . |
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7.13.3 Physical Contact Policy

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| Limited to
Emergency
Situations | A. Within the Juvenile Detention Facility the use of physical force is limited and reserved for emergency situations. If the situation permits, prior to engaging in physical force, staff shall exhaust less physical alternatives to gain compliance or control and contact the Lead PCO and the Duty I.S. When, in the prudent judgment of an officer, no other alternative is available, the use of physical force is authorized. However, such physical and/or chemical force shall be limited to the reasonable degree necessary to gain control or cooperation from a detainee. The use of physical and/or chemical force is limited to the following situations:

<ol style="list-style-type: none">1. Self-defense2. Defense of staff3. Defense or protection of youth4. Protection of County property5. Prevention of escape6. Prevention of riots/unit disturbances7. Movement of a detainee who fails to cooperate with a staff request to leave the scene of an incident or accompany staff to a designated area (i.e., their room, etc.) when such compliance is necessary for maintenance of group control or maintenance of individual safety. |
| Use of
Force
Is limited | B. Force may be used only to prevent injury to self or staff or minors. In such emergencies, every reasonable or practical effort must be made to avoid hurting or injuring the minor. No more force is to be used than is necessary to control the situation. An Institution Supervisor shall be called in advance or as soon as possible to advise and assist in any situation where physical force appears necessary. A written report must be submitted before going off duty, explaining each detail of the incident.

C. When physical force is justified, such force is limited to the reasonable degree of force necessary to gain detainee control or compliance. It is the policy of the JDF, staff shall intervene and immediately stop any use of excessive force by another staff. |
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7.13.3 Physical Contact Policy *(continued)*

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| Clinic
Check | D. After securing the youth following a physical force contact, medical staff shall be contacted, and the youth shall receive a prompt medical evaluation and/or treatment for any injuries sustained. Staff may refer the youth to Mental Health following the use of force incident. |
| Staff will
Receive
Ongoing
Training | E. It is also the policy of the JDF that all staff members receive ongoing training in self-defense tactics and control holds. When using physical force only those defensive tactics and control holds specifically approved by the Probation Department are authorized. |
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7.13.4 Reporting Procedures Following a Physical Contact

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| Incident
Reports
Shall be
Completed
On all
Physical
Contacts | In the instances involving physical contact between staff and a detainee an Incident Report documenting the incident pursuant to <u>Manual Section 3.3.1</u> , is to be submitted to the Institution Supervisor for review. This report shall include an accurate description of the incident, amount and type of force used, a description of the injuries, any medical treatment, a list of all participants and witnesses, etc. |
| Admin.
Review | All physical incidents shall be administratively reviewed regarding the physical contact, the appropriateness of the physical force, and the need for further staff training if necessary. |
| Essential
To have
Complete
Filed reports
To protect
Staff/dept. | Staff and/or youth may be injured during a properly conducted physical confrontation and allegations of impropriety or excessive force may be made. Complete and prompt reports are therefore the best safeguard from false accusations made. Complete and prompt reports are therefore the best safeguard from false accusations regarding the use and application of force by staff. |
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7.13.5 Limitations regarding Use of Force on Pregnant Minors

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| Pregnant Minors | A. A female detainee shall not be shackled by the wrists, ankles, or both during labor, including during transport to a hospital, during delivery, and while in recovery after giving birth, subject to the security needs described in WIC220(b) and this policy. Pregnant detainees temporarily taken to a hospital outside the facility for the purposes of childbirth shall be transported in the least restrictive way possible consistent with legitimate security needs of each detainee. Upon arrival at the hospital, once the detainee has been declared by the attending physician to be in active labor the detainee shall not be shackled by the wrists, ankles, or both unless deemed necessary for the safety and security of the detainee, the staff and the public. |
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7.13.6

Use of Oleoresin Capsicum (OC) Spray in Juvenile Detention Facility

Authority
And use

- A. O.C. Spray is designed to assist officers in dispersing disturbances, in moving threatening persons from rooms, buildings or vehicles and for personal defense against violent persons. Proper use of OC can reduce injuries to staff and youths.

The regulations set forth in this section and the use of O.C. Spray herein authorized, comprise the limitations established by The California Department of Justice (DOJ) and the Chief Probation Officer. Any employee who exceeds these limitations or fails to comply with these regulations shall be subject to disciplinary action unless the employee can adequately justify that the action taken was legal, safe, and necessary. The burden of such justification shall be on the employee.

O.C. Spray is a non-lethal, non-impact defensive capability that is a component of the Use of Force options. Use of O.C. Spray must be consistent with PC 835a.

Possession of Department issued O.C. Spray is restricted to designated on-duty staff only. Designated staff include those individuals who have successfully completed a training course in the use of O.C. Spray. The Department authorizes the use of O.C. Spray only in the course of on-duty activities and operations. The Department issued O.C. equipment is not authorized to be taken out of the facility unless on duty.

- B. The Juvenile Detention Facility shall issue canisters containing Oleoresin Capsicum to authorized personnel. Only JDF owned and issued Oleoresin Capsicum is authorized for on-the-job use and shall:
1. Be the property of the Tulare County Probation Department.
 2. Be authorized for on-the-job use ONLY.
 3. Not be loaned or given for use to other staff.

NOTE: Use or discharge not in accordance with this policy is unauthorized. Violation of any one (1) may result in disciplinary action up to and including termination.

7.13.6.1

Characteristics of O.C. Spray

O.C. Spray is a highly concentrated form of red cayenne peppers or similar synthetic substance that affects the mucous membranes of humans and animals and is considered “Tear Gas” as defined by Penal Code Section 12401. O.C. Spray when applied to the face typically causes swelling of the mucous membranes, involuntary closing of the eyes, gagging, coughing, shortness of breath, and an intense feeling of burning on the exposed skin areas. Most persons encountering O.C. Spray involuntarily bend at the waist or drop to their knees, regardless of their emotional or intoxicating state. The major advantage of O.C. Spray is that it is consistently effective when used against combative persons with reduced sensitivity to pain. The symptoms are temporary and may last up to 45 minutes if left untreated. Decontamination is simpler and more effective than with other chemical agents.

Oleoresin Capsicum (O.C. Pepper Spray) is the only tearing agent authorized for use by the Tulare County Probation Department. It is defined as a weapon authorized for use pursuant to Section 22825 of the California Penal Code and the authority for use is defined pursuant to Article 1413 of the Tulare County Probation Department Administrative Operations Manual. Specific restrictions apply.

7.13.6.1.A General Precautions in the Use of O.C. Spray

The following precautions shall be strictly adhered to with regard to the application of O.C.:

1. O.C. Spray shall be used for officers' defensive purposes and overcoming resistance by threatening and/or hostile youth.
 2. O.C. Spray shall not be used in the immediate vicinity of infants since their respiratory systems are extremely sensitive (this pertains to special visits).
 3. Care shall be given before using O.C. Spray in windy conditions, e.g., outdoor recreation.
 4. O.C. Spray applicators shall be shaken once a shift and tested bi-monthly to ensure that the active ingredient is properly mixed and the spray nozzle is clear (late night Institution Supervisors will be responsible on a bi-monthly basis for testing the dispensers).
 5. Care shall be taken as to the type of applicator and its mode of carry to preclude accidental discharge.
 6. O.C. Spray containers used in the JDF are non-flammable/non-toxic applicators, however, it should be noted that some O.C. Spray applicators are of a flammable nature and should not be used where exposure to open flame or spark may cause ignition. Contents are noted on the side of the O.C. Spray dispenser.
 7. At the beginning of each shift, officers shall check the O.C. Spray canister by shaking it in an up and down motion to ensure they have an adequate supply of O.C. Spray (the dispenser should be no less than half full).
 8. To prevent possible leaks and damage to the O.C. Spray canister, officers should never throw it even if they believe it is empty.
 9. O.C. Spray canisters are constructed from aluminum materials and as such they are easily damaged when squeezed and/or smashed.
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7.13.6.2 Application of Oleoresin Capsicum (OC) Spray in Juvenile Detention Facility

Purpose	O.C. Spray may be used within the scope of Peace Officer authority to control, restrain, or subdue imminent or actual violent behavior or if such behavior presents a clear danger. Before O.C. Spray may be used, consideration must first be given to the gravity of the situation the present danger of injury to persons and/or property or the consequences that may reasonably occur if the aggressive and/or hostile behavior does not cease. An explanation of O.C. use will be included in the orientation for each youth coming into the Juvenile Detention Facility.
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7.13.6.2 **Application of Oleoresin Capsicum (OC) Spray in Juvenile Detention Facility** *(continued)*

O.C. Spray shall be used only after making a reasonable effort to verbally persuade voluntary compliance from the youth (“Cover OC” command) and after giving a clear warning the O.C. will be used if such voluntary compliance is not made, unless the safety and security of staff, youth, and the institution is threatened (“Cover OC” command).

As noted, the only exception to using O.C. spray before a verbal warning is given is when the behavior exhibited is of such a nature that even momentary delay would result in further injury to a person. Then, O.C. may be applied without warning.

Staff shall not threaten to use O.C. spray as a measure of control unless they intend to follow through, if necessary.

Authorized
Use

- A. O.C. Spray shall be used as a defensive or control compliance technique when reasonable and lawfully necessary to subdue an attacker or violently hostile person. It will not be used indiscriminately or in anticipation against mere threats of violence or resistance unless the person has the apparent ability to carry out the threat and is ready or in the process of doing so. It shall be used under the following circumstances:
1. When confronted with a physically violent, combative minor or group of minors whose behavior would cause a reasonable person to believe that this action, threat of action or general circumstance may result in bodily harm to the staff or to others.
 2. Whenever an overt aggressive action, threats of overt aggressive action or general circumstances would cause a reasonable person to believe that this action, threat of action or general circumstances may result in bodily harm to the staff or to others.
 3. When less restrictive steps in the use of force wheel have failed or when the circumstances would cause a reasonable person to believe that other steps in the use of force wheel would pose an immediate threat or may result in bodily harm to the staff or to others.
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“Cover”,
“Cover OC”

- B. Prior to the use of O.C. Spray and following a call for “Cover”, say again, “Cover OC”, before spraying. Caution should be used prior to using O.C. Spray on resisting subjects who are engaged physically with other detainees or who are not isolated from bystanders.
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Yell “OC”
prior to
use to
warn staff

- C. When detainees are engaged with staff, caution should be used prior to O.C. Spray use. This may be facilitated by giving a verbal notification, “O.C.” and its acknowledgment by involved personnel prior to application. Staff in the immediate vicinity of the detainee should step away.
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7.13.6.2 **Application of Oleoresin Capsicum (OC) Spray in Juvenile Detention Facility** *(continued)*

Use
prior to
hands on
restraint

- D. O.C. Spray will ordinarily be utilized prior to employing hands-on-restraint, physical restraints, or mechanical restraints in order to gain control of a threatening and/or aggressive minor. Staff may elect to use defensive tactics, physical restraints, or mechanical restraints first if they believe they can do so without risking injury to themselves or to the minor, or, if O.C. Spray is not quickly available. However, it should be noted that O.C. Spray is intended to prevent the use of physical contact and the risk of injury.

Not to
be used
for
punishment

- E. **O.C. Spray shall not be used for punishment, retaliation, or disciplinary purposes.** Staff are to ensure that no greater amount of O.C. Spray is used than is necessary to gain control of the situation and subdue the minor. O.C. Spray shall be considered for use on minors who are threatening and resistive as well as those who are physically aggressive.

Use in
room
extractions

- F. In the instance of Room Extractions, where the detainee(s) are passively refusing staff directions to move from the room or other legitimate directions involving the detainee in his room, staff shall close the room door and notify the Duty/Unit Institution Supervisor of the problem. If the situation is critical in nature and will endanger the life of the detainee then the officer(s) will act prior to the Duty/Unit Institution Supervisor arriving.

Upon the Institution Supervisor's arrival the unit staff shall brief them on the situation. If the Institution Supervisor determines that force is appropriate the unit staff shall give the detainee(s) a verbal warning that continued refusal to comply with staff instructions shall result in the application of O.C. Spray. If the detainee does not comply with the staff's instructions the I.S. shall assess the situation and decide if the detainee's resistance presents a danger to the detainee or staff or if Tulare County property is being actively damaged. If this is the case the I.S. shall give the authorization for the use of O.C. Spray as outlined in Section B.

After the application of O.C. Spray is complete, if the detainee continues to be aggressive or non-compliant, the room door may be closed for no more than two minutes to allow the O.C. Spray to become more effective. The Institution Supervisor must remain at the detainee's cell to monitor the situation during the waiting period. Care should be taken during this period of time to continuously observe the detainee and to attempt to communicate with him/her to gain an agreement to comply with directions.

Use of
Gas Mask

- G. In the instance that O.C. Spray is used in a cell extraction the Gas Mask shall be used only by staff designated by the Institution Supervisor to participate in the cell extraction.

The protocol in use of the Gas Mask is as follows:

1. Check the mask for:
 - Broken or damaged straps
 - Cracks or tears along the face sealing area
 - A tight fitting filter, by turning it clock-wise

7.13.6.2 Application of Oleoresin Capsicum (OC) Spray in Juvenile Detention Facility *(continued)*

2. Put on the Gas Mask.
 - Place the head harness over the top of the head
 - Pull the mask against your lower face
 - Pull the head straps tightly until a seal is formed between your skin and the mask
3. Listing the mask to make sure it is sealed
 - Place your hand over the canisters and breathe in. If no air comes in from the sides of the mask you have a seal and you can proceed
4. Decontaminating the Mask:
The Duty Institution Supervisor shall decontaminate all masks that are worn by staff during a cell extraction as per the following protocol:
 - Wipe the inside of the mask with an alcohol wipe from the inside out
 - Wipe the outside of the mask with a disinfectant spray
 - Check the mask for rips or tears in the straps and mask

Staff responsible for detainee safety & decontamination

- H. JDF staff are responsible for the safety and decontamination of the detainee once O.C. Spray has been applied. Officers must take all reasonable precautions to ensure that the detainee is not injured while incapacitated by the O.C. Spray.
- I. The following table sets forth the steps to take when using O.C. spray:

Step	Action
1	Fight or incident occurs
2	Staff involved shall give the Cover Command
3	The alarm shall be activated by staff to notify other staff of the situation. Staff shall call "Officer needs assistance" or "10-10" and the location of the incident, over the radio. The Institution Supervisor and staff not supervising youth will respond to the incident.
4	Draw canister from the holster and loudly state "Cover OC".
5	A. Combatants or disruptive youth stop, OC spray is not used; Or: B. Combatants or disruptive youth does not go to cover position
6	Staff sprays combatants or disruptive youth
7	Control and handcuff youth once back-up staff have arrived to monitor the rest of the group. Never use physical force or apply handcuffs before back-up staff have arrived.

7.13.6.2 Application of Oleoresin Capsicum (OC) Spray in Juvenile Detention Facility *(continued)*

8	Keeps the group in the Cover position until additional staff arrive.
9	Remove the youth who have been OC sprayed to their rooms, allow the rest of the youth to return to a normal position, if the situation has been defused

Once the unit has been secured and there is no further threat of violence the Institution Supervisor shall meet with all involved staff either as a group or individually as the situation permits.

1. The Institution Supervisor shall provide a debriefing of the incident and use of force.
2. The Institution Supervisor shall designate which staff are writing a report and which type of report(s) are to be written.

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- J. JDF staff are responsible for the safety and decontamination of the detainee once O.C. Spray has been applied. Officers must take all reasonable precautions to ensure that the detainee is not injured while incapacitated by the O.C. Spray.
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Staff shall begin the decontamination process for those detainees exposed to O.C. Spray. Detainees that are not combative shall be provided a shower and clean clothing for decontamination purposes. Detainees that are combative shall be provided a wet towel and clean clothing if it is not dangerous to open the cell door. Once the detainee is no longer combative he/she shall be provided a shower as per Section 7.13.6.4 even if a wet towel was previously given.

At least one support staff will assist unit staff in the decontamination process in the unit.

- K. Only the Institution Supervisor may elect to disciplinary remove one or more of the combatants to a different cell or unit.
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7.13.6.2 **Application of Oleoresin Capsicum (OC) Spray in Juvenile Detention Facility** *(continued)*

OC Sensitive

Whenever possible, staff shall avoid deploying O.C. spray against youth who have the following medical histories or profiles:

1	New bookings (Prior to Medical Exam)
2	Those who have any documented medical history of respiratory problems
3	Those who have any documented medical history of heart disease or related problems.
4	Those who are taking any psychotropic, stimulant medication
5	Those admitted who are under the influence of stimulant narcotics (cocaine, methamphetamine, PCP)
6	Those with a documented medical history of seizures
7	Those who are medically obese

All reasonable efforts should be made to avoid spraying these youth with O.C. spray. However, because staff and non-aggressive minor safety is out primary responsibility there may be occasions due to the threat of and/or violent circumstances where O.C. may have to be used on medical alert minors to prevent serious injury. When this occurs, Medical staff shall be called to the scene immediately.

7.13.6.3 **Authorization to Carry O.C. Spray in the JDF**

Authorized
Personnel

- A. The Director shall designate those persons authorized to use O.C. Spray within the scope of their staff employment at the Juvenile Detention Facility. The staff must:
1. Be extra-help or full-time, regular employees in the following classifications:
 - Probation Division Manager
 - Supervising Probation Officer
 - Institution Supervisor
 - Probation Correctional Officer I/II
 - Intake/Electronic Monitoring Probation Officers
 2. Have received a POST/STC Training Certificate for Use of Chemical Agents and supplemental training on the use of Oleoresin Capsicum.
 3. Have proof of certification on file in the STC and Personnel File.

7.13.6.4 Decontamination for Oleoresin Capsicum (OC) Spray

Remove to
safe area
for
decontamination

- A. Aftercare Procedures: In all cases where O.C. Spray is deployed, once the minor has been controlled and restrained, the minor shall be immediately removed to a safe area where the decontamination process may begin. Medical staff shall assess all minors affected by O.C. Spray. When no medical staff are on-site detainees will be seen by a medical staff at the facility to be taken to, a medical facility to be cleared. (i.e., KDDH, Visalia Health Clinic, Hillman).

Staff
Assistance

The following methods shall be used to decontaminate individuals affected by O.C. Spray:

Options for
Decontamination

1. Staff shall assist each minor affected by O.C. Spray during the decontamination process. Tell the minor to calm down and relax.
2. Staff shall move the affected minor(s) to the shower area or unit cell. An outdoor hose may be used if the incident occurs in the quads or on the field.

Contact
Lens

3. When decontamination begins, if the affected individual is wearing contact lenses they should be removed. Medical staff present at the scene of the incident may advise or assist in the removal of the contact.

Decontamination
via the
shower

4. In the event that the affected individual is decontaminated in the shower, staff shall assist each minor during this process. The minor shall remain clothed, in socks or shower shoes and a cool stream of water should run over his face and head. Special care shall be given during this process as the shower area is a confined area and it may be slippery.

Flushing cool
water over the
face

5. The minor's eyes and face shall be flushed by placing the affected person in the shower or leaning him/her over the sink area and apply water to cleanse the area for 1-2 minutes. Alternate between affected persons if necessary.

Medical Staff

6. Clinic staff shall monitor vital signs of affected persons. Clinic staff shall monitor which, if any, affected minors need to be moved to the clinic based on an adverse reaction to the O.C. Spray. When no medical staff are available detainees shall be taken to an outside medical agency for clearance.

Monitoring
the affected
minor

7. Five minute Room Checks shall be completed by JDF staff for one (1) hour from the end of decontamination. JDF staff are to see that the minor is sitting up and that she/he responds to verbal direction. Do not allow the detainee to lie down as this may cause further respiratory problems.

Documentation

8. Details of all decontamination efforts are to be included in the Incident Report written to document the incident. Staff are to document the decontamination times on the O.C. Pepper Spray Log.
 9. Do NOT use oils, lotions, creams or salves following exposure to Oleoresin Capsicum. These will trap the irritants and enhance and prolong the effects.
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7.13.6.4 Decontamination for Oleoresin Capsicum (OC) Spray *(continued)*

- B. After detainees and the unit are secured, staff will notify Unit/Duty Institution Supervisor (responding to the emergency) if they have received an over-spray or are sensitive to the O.C. Spray.
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- C. The Unit/Institution Supervisor will make a determination regarding the condition of the affected staff and take the appropriate amount of action as outlined below:
 - 1. If the reaction is minor the Unit/Institution Supervisor will determine if it is necessary to have the staff allowed time out of the unit or if a temporary replacement is necessary.
 - 2. If a staff has suffered a severe reaction to the O.C. Spray and/or received a direct spray the following protocol will be utilized:
 - a. Staff will be replaced to undergo the decontamination process if necessary. A shower is available in the staff locker room of the JDF.
 - b. Referral to a department approved provider will be made if necessary by the Institution Supervisor. Workers Compensation paperwork needs to be completed/given to the employee.
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7.13.6.5 Documentation for use of Oleoresin Capsicum (OC) Spray

Incident
Report

- A. Documentation: The use of O.C. Spray shall be reported in writing on an Incident Report pursuant to Manual Section 3.3.
 - 1. Prepare an Incident Report detailing the reason for the use of O.C. Spray prior to shift completion. Include all counseling that was done prior to the incident if applicable.
 - 2. Submit an Incident Report and Discipline report to the Institution Supervisor.
 - 3. All staff involved who are not the primary Officer shall complete a supplemental report to the main Incident Report.

The Institution Supervisor and Administration shall review the reports to ensure that the use of OC spray was in accordance with this policy.

The Supervising Probation Officer shall ensure that the Department of Justice Application Report is submitted to the Department of Justice as required and that a copy of this report and the related Incident Report is maintained in a separate and specific Administrative File. The Range Master is given a copy of this report and makes quarterly reports to the state.

7.13.6.6 Control and Storage of O.C.

O.C. Control Measures

- A. Canisters of O.C. Spray shall be controlled and accounted for as follows:
1. The Institution Supervisor assigned to SST shall assign each Officer qualified to carry O.C. Spray within the facility a canister unique to that staff.
 - a. The can will have a unique number which shall not be repeated.
 - b. The can will have the staff's last name in conjunction with the number.
 2. All O.C. Spray canisters shall be stored in the locked SST room according to the staff to which they are assigned.
 3. At the beginning of each staff's shift he/she shall acquire the O.C. Spray canister with his/her assigned number and name from the Duty Institution Supervisor at the SST room.
 4. Staff are responsible for securing the canister to their person the entire shift.
 5. If during the course of the staff's shift O.C. Pepper Spray is deployed the canister shall be given to the Duty Institution Supervisor for weighing purposes as per section 7.13.6.2(I)(3) then returned to the staff.
 6. At the conclusion of the staff's shift the O.C. Spray canister shall be returned to the SST room and placed back into the secure storage area.
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- B. The shift #3 Institution Supervisor shall be responsible for weighing and documenting all active canisters of O.C. Pepper Spray as follows:
1. The shift #3 Institution Supervisor shall collect the O.C. Spray canisters from all staff that worked shifts 1 and 2 of the same day as well as shift 3 of the previous day.
 2. The shift #3 Institution Supervisor shall weigh each canister and document the weight on the O.C. Pepper Spray Weight Log. If there is a discrepancy in the weight of an issued canister and the newly recorded weight the shift #3 Institution Supervisor shall notify the Division Manager and/or Supervising Probation Officer that a discrepancy exists.
 3. O.C. Spray canisters that weigh less than 1.46 oz., have less than ¼ can of O.C. Pepper Spray, and must be replaced.
 - a. All canisters that are taken out of circulation shall be documented on the O.C. Pepper Spray Weight Log.
 - b. All said O.C. canisters shall be inventoried by the Institution Supervisor assigned to SST.
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7.13.6.6 Control and Storage of O.C. *(continued)*

- c. Any canister with an O.C. Pepper Spray weight less than 1.46 oz. but not depleted shall be given to the Training Institution Supervisor to be used in the training of new staff.
 - d. Depleted O.C. canisters shall be disposed of in a secured location and documented in the SST inventory.
 - 4. O.C. canisters which are excessively dented and/or damaged or the dent is near the top of the canister shall be removed from circulation and processed in the same manner as a depleted canister.
 - C. Under no circumstances shall anyone attempt to take an O.C. Spray canister out of the building when they are off duty. Under no circumstances shall anyone bring personal O.C. Spray canisters into the building.
 - D. O.C. Pepper Spray Weight Log(s) shall be kept in a binder in the SST room for the calendar year. At the end of the calendar year they shall be sent to a secure storage location.
 - E. The Institution Supervisor assigned to SST shall keep a current database of all O.C. Spray weights and usage which can be provided to Administration upon request.
-

7.13.7 Departmentally Approved Defense Techniques

All Juvenile Detention Facility (JDF) staff are required to receive and complete a training program for departmentally approved defense tactics. This course provides staff with the basic defense tactics and control holds approved for use in this institution. All staff shall receive ongoing training in this area on an annual basis.

7.13.8 Potential Injury Resulting from Holds

Whenever staff utilize a defense tactic or control hold on a detainee the potential for injury exists. After establishing control of a detainee, have the Medical Clinic evaluate the detainee for the following injuries:

- A. Wrist sprains;
 - B. Broken bones;
 - C. Concussions;
 - D. Cuts and abrasions;
 - E. Contusions;
 - F. Joint dislocations.
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7.13.9 Choke Holds

Under no circumstances shall choke holds be utilized to restrain detainees in Juvenile Hall. The use of the carotid or air choke holds are extremely dangerous and can result in death and are therefore absolutely unauthorized and strictly forbidden.

7.13.10 Disciplinary Removal of a Detainee from a Unit

Periodically situations occur in the living units which require the physical (disciplinary) removal (DR) of a detainee from the unit. Such situations may arise when:

A	A detainee physically assaults another detainee
B	A detainee physically assaults a staff member
C	A detainee engages in or solicits riotous acts or behavior
D	A detainee engages in the willful and significant destruction of property
E	A detainee engages in acts of self harm
F	A detainee refuses a request to report or accompany a staff member to a room or area designated by staff

Intro	Under these circumstances staff are authorized to physically remove any detainee whose behavior endangers the safety and security of the institution, its unit programs, its staff members and other detainees. When a decision is made to physically remove a detainee to a more secure setting the following procedures shall be invoked.
Supervisor Presence Required	A. Staff shall acquire the approval and presence of an Institution Supervisor prior to the physical removal of a detainee from the unit.
Secure Unit	B. Prior to the physical removal of a detainee, staff shall secure the unit and place the other detainees in their room.
Inform Control	C. Once I.S. approval has been obtained the staff member shall inform Central Control of the situation and request that a holding cell or safety room be made available.
Isolate Detainee	D. If removing a detainee from a double room, staff shall isolate the roommate in another location.
Actual Removal 2 staff	E. Following accomplishment of these procedures the physical removal of a detainee may proceed.

7.13.10 **Disciplinary Removal of a Detainee from a Unit** *(continued)*

1. Verbal instructions for compliance shall be initiated first. If the detainee complies they shall be escorted by a minimum of two (2) staff members to the required destination.
 2. In cases where compliance with verbal instruction is not forthcoming the use of physical force is authorized following the Use of Force Model as outlined in Manual Section 7.13.3. The minor's behavior will dictate the level of force used. When using physical force only the degree and level necessary to gain control of the detainee and effect the transfer to the intended destination is authorized.
-

Develop
a plan

- F. When entering a detainee's room each staff member shall have a clearly defined role for the removal process. Injuries to both staff and detainee often occur as result of too many people in a room with non-defined roles for the removal process. When effecting transfer, do so quickly and with minimal interruption.

A plan shall be formulated before attempting to apply restraint equipment to prevent injury to both staff and detainees. Restraint coordinator (an I.S. or their designee) shall develop a course of action which incorporates a procedure for entering the detainee's room. Define the assigned role of each officer when entering the room. When cuffing a detainee in a room a minimum of two (2) officers is required with a third officer available as back-up.

Restraints

- G. Handcuffs may be utilized at the discretion of the restraint coordinator. When restraints are used during a disciplinary removal, Section 7.14 of the JDF Policy and Procedure Manual takes precedence.
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Reports and
Documentation
The discipline
Reports

- H. An Incident Report is required for all Disciplinary Removals from a unit in addition to any Discipline Reports completed. Staff shall complete these reports promptly and make them available for Administrative review prior to the end of the shift. All reports shall include the details as listed under JDF Manual Section 7.14.3.

Pregnant

- I. In the event that the minor involved in an incident in which physical force or mechanical restraints are utilized, is pregnant, the minor is to be restrained in the least restrictive way possible consistent with the legitimate security needs of each minor. Should the minor be determined to be in labor she shall not be shackled by the wrists, ankles, or both during labor including during transport to a hospital, during delivery, and while in recovery after giving birth subject to the security needs deemed necessary for the safety and security of the minor, the staff, and the public.
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7.13.11 Use of the Institutional Shield

The protective shield is a piece of equipment designed to protect staff who must physically control hostile, non-compliant minors. The protective shield will only be used in situations where one or more of the following occurs:

1. Continuous counseling attempts have failed.
2. A supervisor or administrator is present and/or has approved the use of the protective shield to contain a situation.
3. When a minor is in danger of harming him/herself or others or is causing serious damage to county property.
4. In a situation which presents immediate danger of injury to staff or minors.
 - a. The protective shield is a clear, hard plastic concave piece of equipment with two handles. The handles allow staff to control the shield while maintaining visual contact with the minor. The concave shape will conform to the shape of a body and will safely restrain a minor to a wall, bed, or floor without injury. The concave shape can also deflect blows from an armed minor.
 - b. The protective shield will temporarily restrict and contain a minor's movements so that he/she can be safely placed in a Department approved control hold pursuant to training received as required by Section 7.13.7 Departmentally Approved Defense Techniques and subsequently placed in mechanical restraints as needed and as defined in Section 7.14.1 Use of Mechanical Restraints.
 - c. Only properly trained staff will be authorized to use the protective shields. Staff will be required to complete yearly training in the Use of the Institutional Shield and Weaponless Defense.
 - d. There are four (4) protective shields strategically located throughout the institution in the following locations:
 1. Storage Room Pod 1
 2. I.S. Office Pod 1
 3. Storage Room Pod 5
 4. I.S. Office Pod 5
 - e. Staff will not use the protective shield to coerce, harass, belittle, or abuse any person or prisoner.
 - f. The protective shield shall not be used in any form of horseplay.
 - g. The protective shield is not to be used in incidents involving a pregnant minor.

7.13.11 Use of the Institutional Shield *(continued)*

PROCEDURES:

A. Unit Staff:

Situations occur where minor(s) act out in a hostile and aggressive manner. During these episodes staff are to utilize their training and attempt to calm and contain the situation. If it appears the minor's behavior is sufficiently serious to require an immediate response staff will contact the Duty I.S. The I.S. will evaluate the situation and instruct the staff to retrieve the shield if it appears necessary.

Once the protective shield has been approved for use, unit staff that have received training in using the protective shield will proceed as instructed by the I.S.

Once the acting-out minor has been confronted it may become necessary to remove that minor from his/her current location to a more controlled, secure housing unit. After the JDF administration or I.S. approved the shield's use staff will deploy the protective shield ensuring sufficient trained staff are available to accomplish the task as safely as possible.

Each time the protective shield is called for and/or used an Incident Report will be completed in Caseload Explorer.

Each time the protective shield is used the minor shall be referred for immediate medical evaluation.

The I.S. will notify administration of the use of the Institutional Protective Shield as soon as possible.

B. The protective shields will not be used in the following situations or areas due to safety issues without specific approval from Administration.

1. On the roof
 2. In the kitchen
 3. In the medical exam room(s)
 4. In the Dental exam room
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